

CONSOLIDATED CHECKLIST C6

Part 1 of 5 parts

Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities 40 CFR Part 265, Subparts A-G, as of June 30, 1997 as published in the July 1, 1997 CFR

Note: Consolidated Checklist C6 is divided into 5 separate documents/computer files solely for ease of handling its printed and electronic versions. Consolidated Checklist C6 remains one checklist; States must adopt all five portions simultaneously to correctly use this Consolidated Checklist. Note, the prenotes and endnotes associated with each part have been placed with the part to which they apply.

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|----------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| SUBPART A - GENERAL | | | | | | | |
| PURPOSE, SCOPE, AND APPLICABILITY | | | | | | | |
| establish minimum national standards | *,10 | 265.1(a) | | | | | |
| applies to all owners and operators of TSDFs, with exceptions, who have met interim status requirements of RCRA 3005(e) or 270.10 or until fulfill applicable 265 closure/post-closure requirements | IV B,3,10, †121, 154 | 265.1(b) | | | | | |
| exceptions: | IV B | 265.1(c) | | | | | |
| ocean disposal | IV B | 265.1(c)(1) | | | | | |
| reserved | IV B,44 C | 265.1(c)(2) | | | | | |
| POTWs | IV B | 265.1(c)(3) | | | | | |
| covered by a program of an authorized State | IV B | 265.1(c)(4) | | | | | |
| unless State's program omits underground injection | * | 265.1(c)(4)(i) | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| 1 unless State's authorization not up to date for HSWA requirements | * | 265.1(c)(4)(ii) | | | | | |
| waste excluded by 261.5 | IV B | 265.1(c)(5) | | | | | |
| 2 recyclable materials described in 261.6(a)(2)- (4) | IV B,13, 111,122 | 265.1(c)(6) | | | | | |
| waste accumulated at site of generation in accordance with 262.34 | IV B | 265.1(c)(7) | | | | | |
| farmers complying with 262.70 | IV B,48 | 265.1(c)(8) | | | | | |
| totally enclosed treatment facility | IV B | 265.1(c)(9) | | | | | |
| elementary neutralization unit or wastewater treatment unit; compliance with 265.17(b) if owner or operator is diluting hazardous ignitable wastes or reactive wastes to remove characteristic before land disposal | IV B,124, 137 | 265.1(c)(10) | | | | | |

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| treatment or containment activities in response to an emergency, except as provided by 265.1(c)(11)(ii) | IV B | 265.1(c)(11)(i) | | | | | |
| | | 265.1(c)(11)(i)(A) | | | | | |
| | | 265.1(c)(11)(i)(B) | | | | | |
| | | 265.1(c)(11)(i)(C) | | | | | |
| | 156 | 265.1(c)(11)(i)(D) | | | | | |
| | IV B | 265.1(c)(11)(ii) | | | | | |
| | | 265.1(c)(11)(iii) | | | | | |
| | 156 | 265.1(c)(11)(iv) | | | | | |
| transporters storing in containers meeting 262.30 | IV B | 265.1(c)(12) | | | | | |
| combination of waste and absorbent material | IV B | 265.1(c)(13) | | | | | |
| †,3 universal waste handlers and transporters handling the listed universal wastes are subject to Part 273 rather than Part 265 | 142 A | 265.1(c)(14) | | | | | |
| | 142 B | 265.1(c)(14)(i) | | | | | |
| | 142 C | 265.1(c)(14)(ii) | | | | | |
| | 142 D | 265.1(c)(14)(iii) | | | | | |
| hazardous wastes not to be managed at facilities regulated under 265 | 14 | 265.1(d) | | | | | |
| | | 265.1(d)(1) | | | | | |
| | | 265.1(d)(1)(i) | | | | | |
| | | 265.1(d)(1)(ii) | | | | | |
| | | 265.1(d)(1)(iii) | | | | | |
| | | 265.1(d)(1)(iv) | | | | | |
| | | 265.1(d)(1)(v) | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| applicable to owners or operators of facilities which treat, store or dispose of wastes referred to in 268; 268 standards are considered material requirements of 265 standards | 34,78 | 265.1(e) | | | | | |
| requirements of storage of military munitions are in 266.205; treatment and disposal are subject to all standards in 40 CFR 260 through 270 | 156 | 265.1(f) | | | | | |
| reserved | | 265.2-265.3 | | | | | |
| IMMINENT HAZARD ACTION | | | | | | | |
| enforcement actions under RCRA 7003 | * | 265.4 | | | | | |
| SUBPART B - GENERAL FACILITY STANDARDS | | | | | | | |
| APPLICABILITY | | | | | | | |
| subpart applies to hazardous waste facilities except as provided in 265.1 | * | 265.10 | | | | | |
| IDENTIFICATION NUMBER | | | | | | | |
| EPA identification number required | IV B | 265.11 | | | | | |
| REQUIRED NOTICES | | | | | | | |
| hazardous waste from foreign source | IV B, †152 | 265.12(a)(1) | | | | | |
| † tracking document required for hazardous waste subject to part 262 subpart H | 152 | 265.12(a)(2) | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|-------------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| requirements before ownership transfer | IV B | 265.12(b) | | | | | |
| GENERAL WASTE ANALYSIS | | | | | | | |
| 4 analysis required prior to handling any hazardous waste or 265.113(d) non-hazardous waste; what information, at a minimum, the waste analysis must contain | IV B,34,†64,102 | 265.13(a)(1) | | | | | |
| inclusion of existing data | IV B,78 | 265.13(a)(2) | | | | | |
| when analysis must be repeated | IV B | 265.13(a)(3) | | | | | |
| | IV B,†64 | 265.13(a)(3)(i) | | | | | |
| | IV B | 265.13(a)(3)(ii) | | | | | |
| inspect each offsite shipment | IV B | 265.13(a)(4) | | | | | |
| develop and follow written waste analysis plan: | IV B | 265.13(b) | | | | | |
| parameters which will be analyzed | IV B,†64 | 265.13(b)(1) | | | | | |
| test methods | IV B | 265.13(b)(2) | | | | | |
| sampling method | IV B | 265.13(b)(3) | | | | | |
| | | 265.13(b)(3)(i) | | | | | |
| | | 265.13(b)(3)(ii) | | | | | |
| frequency of reviewing or repeating analysis | IV B | 265.13(b)(4) | | | | | |
| analyses from generators | IV B | 265.13(b)(5) | | | | | |
| meeting of additional waste analysis requirements | IV B,16,28,34,79,87,154 | 265.13(b)(6) | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| surface impoundments exempted from land disposal restrictions under 268.4(a); procedures and schedules for: | 34 | 265.13(b)(7) | | | | | |
| sampling impoundment contents | 34 | 265.13(b)(7)(i) | | | | | |
| analysis procedures | 34 | 265.13(b)(7)(ii) | | | | | |
| annual removal of residues: | 34,39,50 | 265.13(b)(7)(iii) | | | | | |
| wastes that do not meet 268, Subpart D, treatment standards | 50 | 265.13(b)(7)(iii)(A) | | | | | |
| where no treatment standards established | 50 | 265.13(b)(7)(iii)(B) | | | | | |
| | | 265.13(b)(7)(iii)(B) (1) | | | | | |
| | | 265.13(b)(7)(iii)(B) (2) | | | | | |
| for owners and operators seeking an exemption to the air emission standards of Subpart CC of this part in accordance with 265.1083 | 154 | 265.13(b)(8) | | | | | |
| if direct measurement used for waste determination, procedures & schedules for waste sampling & analysis, & results of the analysis verify exemption | 154 | 265.13(b)(8)(i) | | | | | |

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| if knowledge of waste is used for determination, any information that is used as basis for knowledge | 154 | 265.13(b)(8)(ii) | | | | | |
| analysis plan for off-site facilities: | IV B | 265.13(c) | | | | | |
| procedures for identifying each waste moved at facility | IV B | 265.13(c)(1) | | | | | |
| sampling method used to obtain a representative sample | IV B | 265.13(c)(2) | | | | | |
| procedures owner or operator will use to determine whether biodegradable sorbent has been added to waste in container | 118 | 265.13(c)(3) | | | | | |

SECURITY

| | | | | | | | |
|--|------|------------------|--|--|--|--|--|
| prevent unknowing entry and minimize unauthorized entry unless 265.14(a)(1)&(2) are true | IV B | 265.14(a) | | | | | |
| | | 265.14(a)(1) | | | | | |
| | | 265.14(a)(2) | | | | | |
| unless exempt under 265.14(a)(1)&(2), a facility must have: | * | 265.14(b) | | | | | |
| 24-hour surveillance | IV B | 265.14(b)(1) | | | | | |
| barrier around active portion and control of entry | IV B | 265.14(b)(2)(i) | | | | | |
| | | 265.14(b)(2)(ii) | | | | | |
| sign | IV B | 265.14(c) | | | | | |

GENERAL INSPECTION REQUIREMENTS

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| inspect for malfunctions, deterioration, operator errors, and discharges | IV B | 265.15(a) | | | | | |
| develop and follow written schedule | IV B | 265.15(b)(1) | | | | | |
| keep schedule at facility | IV B | 265.15(b)(2) | | | | | |
| identify items that are to be looked for | IV B | 265.15(b)(3) | | | | | |
| 5 frequency of inspection | IV B,28,79,100,154 | 265.15(b)(4) | | | | | |
| remedy of problems inspection uncovers | IV B | 265.15(c) | | | | | |
| recordkeeping | IV B | 265.15(d) | | | | | |

PERSONNEL TRAINING

| | | | | | | | |
|--|------|-------------------|--|--|--|--|--|
| personnel complete training to ensure compliance with 265 | IV B | 265.16(a)(1) | | | | | |
| director of training program | IV B | 265.16(a)(2) | | | | | |
| must be designed to ensure effective response to emergencies | IV B | 265.16(a)(3) | | | | | |
| | | 265.16(a)(3)(i) | | | | | |
| | | 265.16(a)(3)(ii) | | | | | |
| | | 265.16(a)(3)(iii) | | | | | |
| | | 265.16(a)(3)(iv) | | | | | |
| | | 265.16(a)(3)(v) | | | | | |
| | | 265.16(a)(3)(vi) | | | | | |
| timing of instruction | IV B | 265.16(b) | | | | | |
| annual review of initial training required at 265.16(a) | IV B | 265.16(c) | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|-------------------------------|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| recordkeeping | IV B | 265.16(d) | | | | | |
| | | 265.16(d)(1) | | | | | |
| | | 265.16(d)(2) | | | | | |
| | | 265.16(d)(3) | | | | | |
| | | 265.16(d)(4) | | | | | |
| retention of training records | IV B | 265.16(e) | | | | | |

GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTES

| | | | | | | | |
|---|------|--------------|--|--|--|--|--|
| precautions to prevent waste ignition or reaction | IV B | 265.17(a) | | | | | |
| precautions to prevent specified reactions | IV B | 265.17(b) | | | | | |
| | | 265.17(b)(1) | | | | | |
| | | 265.17(b)(2) | | | | | |
| | | 265.17(b)(3) | | | | | |
| | | 265.17(b)(4) | | | | | |
| | | 265.17(b)(5) | | | | | |

LOCATION STANDARDS

| | | | | | | | |
|---|------|--------|--|--|--|--|--|
| prohibition of waste placement in salt domes, salt bed formations, underground mines, and caves | 17 E | 265.18 | | | | | |
|---|------|--------|--|--|--|--|--|

6 CONSTRUCTION QUALITY ASSURANCE PROGRAM

| | | | | | | | |
|-------------|-----|-----------|--|--|--|--|--|
| CQA program | 100 | 265.19(a) | | | | | |
|-------------|-----|-----------|--|--|--|--|--|

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| required for all surface impoundment, waste pile and landfill units that must comply with 265.221(a), 265.254, and 265.301(a); program must ensure constructed unit meets or exceeds all permit design criteria and specifications; program must be developed and implemented under a CQA officer who is a registered professional engineer | 100 | 265.19(a)(1) | | | | | |
| the physical components the CQA program must address | 100 | 265.19(a)(2) | | | | | |
| | | 265.19(a)(2)(i) | | | | | |
| | | 265.19(a)(2)(ii) | | | | | |
| | | 265.19(a)(2)(iii) | | | | | |
| | | 265.19(a)(2)(iv) | | | | | |
| | | 265.19(a)(2)(v) | | | | | |
| | | 265.19(a)(2)(vi) | | | | | |
| before construction begins, owner/operator must develop a written CQA plan; identify steps that will be used to monitor and document quality of materials and condition and manner of their installation; what the CQA plan must include: | 100 | 265.19(b) | | | | | |
| identification of applicable units and how they will be constructed | 100 | 265.19(b)(1) | | | | | |

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| identification of key CQA plan development and implementation personnel; CQA officer qualifications | 100 | 265.19(b)(2) | | | | | |
| inspection and sampling activities' description; what must be described | 100 | 265.19(b)(3) | | | | | |
| contents of program | 100 | 265.19(c) | | | | | |
| must include observations, inspections, tests, and measurements sufficient to ensure: | 100 | 265.19(c)(1) | | | | | |
| structural stability and integrity of 265.19(a)(2) units | 100 | 265.19(c)(1)(i) | | | | | |
| proper construction according to permit specifications and good engineering practices, and proper installation according to design specifications | 100 | 265.19(c)(1)(ii) | | | | | |
| material conformity with design and other material specifications | 100 | 265.19(c)(1)(iii) | | | | | |

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| test fills for compacted soils liners, using full scale compaction methods to ensure liners are constructed to meet specific hydraulic conductivity requirements; compliance verified by in-situ testing on constructed test fill; conditions under which test fill requirement may be waived | 100 | 265.19(c)(2) | | | | | |
| certification to Regional Administrator at least 30 days before receiving waste; signed by CQA officer stating that CQA plan has been successfully carried out and that the unit meets specific requirements; may receive wastes in unit after 30 days from the Regional Administrator's receipt of the CQA, unless Regional Administrator determines in writing that construction is not acceptable or extends review period for 30 days or seeks additional information; CQA documentation | 100 | 265.19(d) | | | | | |

SUBPART C - PREPAREDNESS AND PREVENTION

APPLICABILITY

| | | | | | | | |
|---|---|--------|--|--|--|--|--|
| all HW facilities, except as 265.1 provides | * | 265.30 | | | | | |
|---|---|--------|--|--|--|--|--|

MAINTENANCE AND OPERATION OF FACILITY

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| requirements to minimize threats to health or environment | IV B | 265.31 | | | | | |

REQUIRED EQUIPMENT

| | | | | | | | |
|--|------|-----------|--|--|--|--|--|
| what all facilities must be equipped with: | * | 265.32 | | | | | |
| internal communications or alarm | IV B | 265.32(a) | | | | | |
| telephone or equivalent | IV B | 265.32(b) | | | | | |
| fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment | IV B | 265.32(c) | | | | | |
| water of adequate volume and pressure | IV B | 265.32(d) | | | | | |

TESTING AND MAINTENANCE OF EQUIPMENT

| | | | | | | | |
|--------------------------------------|------|--------|--|--|--|--|--|
| maintenance and testing requirements | IV B | 265.33 | | | | | |
|--------------------------------------|------|--------|--|--|--|--|--|

ACCESS TO COMMUNICATIONS OR ALARM SYSTEM

| | | | | | | | |
|--|------|-----------|--|--|--|--|--|
| immediate access by personnel handling hazardous waste | IV B | 265.34(a) | | | | | |
| immediate access when only one employee is on premises; what equipment must be immediately available | IV B | 265.34(b) | | | | | |

REQUIRED AISLE SPACE

| | | | | | | | |
|---|------|--------|--|--|--|--|--|
| aisle space required to allow unobstructed movement | IV B | 265.35 | | | | | |
| reserved | | 265.36 | | | | | |

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|----------------------|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |

ARRANGEMENTS WITH LOCAL AUTHORITIES

| | | | | | | | |
|---|------|--------------|--|--|--|--|--|
| specific arrangements which must be made | IV B | 265.37(a) | | | | | |
| | | 265.37(a)(1) | | | | | |
| | | 265.37(a)(2) | | | | | |
| | | 265.37(a)(3) | | | | | |
| | | 265.37(a)(4) | | | | | |
| document refusals to enter into arrangement in operating record | IV B | 265.37(b) | | | | | |

SUBPART D - CONTINGENCY PLAN AND EMERGENCY PROCEDURES

APPLICABILITY

| | | | | | | | |
|--|---|--------|--|--|--|--|--|
| applies to all HW facilities, except as 265.1 provides | * | 265.50 | | | | | |
|--|---|--------|--|--|--|--|--|

PURPOSE AND IMPLEMENTATION OF CONTINGENCY PLAN

| | | | | | | | |
|---------------------------------------|---|-----------|--|--|--|--|--|
| contingency plan required; purpose | * | 265.51(a) | | | | | |
| when to implement plan | * | 265.51(b) | | | | | |

CONTENT OF CONTINGENCY PLAN

| | | | | | | | |
|--|------|-----------|--|--|--|--|--|
| describes actions to take in compliance with 265.51 and 265.56 | IV B | 265.52(a) | | | | | |
| relationship to SPCC or other plans | IV B | 265.52(b) | | | | | |
| arrangements with local police, fire department, etc. | IV B | 265.52(c) | | | | | |

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|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| list names and addresses of emergency coordinator(s); keep up to date; listed in order to assume responsibility as alternates | IV B | 265.52(d) | | | | | |
| list of emergency equipment at facility | IV B | 265.52(e) | | | | | |
| evacuation plan | IV B | 265.52(f) | | | | | |

COPIES OF CONTINGENCY PLAN

| | | | | | | | |
|---|------|-----------|--|--|--|--|--|
| disposition of copies of plan and all revisions: | * | 265.53 | | | | | |
| maintained at facility | IV B | 265.53(a) | | | | | |
| submitted to local police, fire department, hospitals, etc. | IV B | 265.53(b) | | | | | |

AMENDMENT OF CONTINGENCY PLAN

| | | | | | | | |
|--|----------|-----------|--|--|--|--|--|
| when plan must be reviewed and, if necessary, amended: | * | 265.54 | | | | | |
| applicable regulations are revised | IV B | 265.54(a) | | | | | |
| plan fails in an emergency | IV B | 265.54(b) | | | | | |
| facility change | IV B | 265.54(c) | | | | | |
| list of emergency coordinators changes | IV B | 265.54(d) | | | | | |
| 7 list of equipment changes | IV B,†54 | 265.54(e) | | | | | |

EMERGENCY COORDINATOR

| | | | | | | | |
|------------------|------|--------|--|--|--|--|--|
| responsibilities | IV B | 265.55 | | | | | |
|------------------|------|--------|--|--|--|--|--|

EMERGENCY PROCEDURES

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| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| procedures for imminent or actual emergency | IV B | 265.56(a) | | | | | |
| | | 265.56(a)(1) | | | | | |
| | | 265.56(a)(2) | | | | | |
| release, fire, explosion | IV B | 265.56(b) | | | | | |
| hazard assessment | IV B | 265.56(c) | | | | | |
| report of emergency coordinator's findings | IV B | 265.56(d) | | | | | |
| notify local authorities | IV B | 265.56(d)(1) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|----------------|----------------|------------------|
| | | | | EQUIVALENT | LESS STRINGENT | MORE STRINGENT | BROADER IN SCOPE |
| report to on-scene coordinator or National Response Center; what the report must include | IV B | 265.56(d)(2) | | | | | |
| | | 265.56(d)(2)(i) | | | | | |
| | | 265.56(d)(2)(ii) | | | | | |
| | | 265.56(d)(2)(iii) | | | | | |
| | | 265.56(d)(2)(iv) | | | | | |
| | | 265.56(d)(2)(v) | | | | | |
| | | 265.56(d)(2)(vi) | | | | | |
| measures during emergency | IV B | 265.56(e) | | | | | |
| procedures if facility stops operation | IV B | 265.56(f) | | | | | |
| treatment, storage, or disposal of material resulting from emergency | IV B | 265.56(g) | | | | | |
| procedures after emergency | IV B | 265.56(h) | | | | | |
| | | 265.56(h)(1) | | | | | |
| | | 265.56(h)(2) | | | | | |
| notifications prior to resuming operations | IV B | 265.56(i) | | | | | |
| operating record information; written report to Regional Administrator | IV B | 265.56(j) | | | | | |
| what the report to Regional Administrator must include | IV B | 265.56(j)(1) | | | | | |
| | | 265.56(j)(2) | | | | | |
| | | 265.56(j)(3) | | | | | |
| | | 265.56(j)(4) | | | | | |
| | | 265.56(j)(5) | | | | | |
| | | 265.56(j)(6) | | | | | |
| | | 265.56(j)(7) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|----------------------|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

APPLICABILITY

| | | | | | | | |
|---|----------|--------|--|--|--|--|--|
| subpart applies to both on- and off-site facilities; exceptions | IV B,156 | 265.70 | | | | | |
|---|----------|--------|--|--|--|--|--|

USE OF MANIFEST SYSTEM

| | | | | | | | |
|--|------|--------------|--|--|--|--|--|
| duties of owner or operator when receiving waste accompanied by manifest | IV B | 265.71(a) | | | | | |
| | | 265.71(a)(1) | | | | | |
| | | 265.71(a)(2) | | | | | |
| | | 265.71(a)(3) | | | | | |
| | | 265.71(a)(4) | | | | | |
| | | 265.71(a)(5) | | | | | |
| duties of owner or operator when receiving waste accompanied by shipping paper | IV B | 265.71(b) | | | | | |
| | | 265.71(b)(1) | | | | | |
| | | 265.71(b)(2) | | | | | |
| | | 265.71(b)(3) | | | | | |
| | | 265.71(b)(4) | | | | | |
| | | 265.71(b)(5) | | | | | |
| facility that initiates shipment must comply with 262 | * | 265.71(c) | | | | | |
| † shipment subject to part 262 subpart H | 152 | 265.71(d) | | | | | |

MANIFEST DISCREPANCIES

| | | | | | | | |
|--------------------------------------|------|--------------|--|--|--|--|--|
| definition of manifest discrepancies | IV B | 265.72(a) | | | | | |
| | | 265.72(a)(1) | | | | | |
| | | 265.72(a)(2) | | | | | |
| actions on discovering a discrepancy | IV B | 265.72(b) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| OPERATING RECORD | | | | | | | |
| written operating record at facility | IV B | 265.73(a) | | | | | |
| information which must be recorded: | IV B | 265.73(b) | | | | | |
| description and quantity of waste; dates of treatment, storage, or disposal | IV B | 265.73(b)(1) | | | | | |
| location of waste and quantity at each location | IV B | 265.73(b)(2) | | | | | |
| records and results of waste analysis, waste determinations, and trial tests | IV B,16, 28,34,79, 87,154 | 265.73(b)(3) | | | | | |
| reports of incidents which require implementing contingency plan | IV B | 265.73(b)(4) | | | | | |
| records and results of inspections | IV B | 265.73(b)(5) | | | | | |
| monitoring, testing, or analytical data | IV B,28, 79,100, 154 | 265.73(b)(6) | | | | | |
| closure and post-closure cost estimates | IV B | 265.73(b)(7) | | | | | |
| quantity records for each shipment | 34,50 | 265.73(b)(8) | | | | | |
| off-site treatment facility requirements | 34,50 | 265.73(b)(9) | | | | | |
| on-site treatment facility requirements | 34,50 | 265.73(b)(10) | | | | | |
| off-site land disposal facility requirements | 34,50 | 265.73(b)(11) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| on-site land disposal facility requirements | 34,50 | 265.73(b)(12) | | | | | |
| off-site storage facility requirements | 50 | 265.73(b)(13) | | | | | |
| on-site storage facility requirements | 50 | 265.73(b)(14) | | | | | |

AVAILABILITY, RETENTION, AND DISPOSITION OF RECORDS

| | | | | | | | |
|---|------|-----------|--|--|--|--|--|
| all records available for inspection | IV B | 265.74(a) | | | | | |
| retention period extension under unresolved enforcement action | IV B | 265.74(b) | | | | | |
| copy of records to Regional Administrator and local authority at closure | IV B | 265.74(c) | | | | | |

BIENNIAL REPORT

| | | | | | | | |
|--|------|-----------|--|--|--|--|--|
| when to submit, what form, and what must be reported: | *,†1 | 265.75 | | | | | |
| EPA identification number | IV B | 265.75(a) | | | | | |
| calendar year covered by report | IV B | 265.75(b) | | | | | |
| EPA identification numbers of generators; name and address for foreign generators | IV B | 265.75(c) | | | | | |
| description and quantity of wastes received | IV B | 265.75(d) | | | | | |
| methods of handling | IV B | 265.75(e) | | | | | |
| monitoring data, where required | IV B | 265.75(f) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| closure cost estimate; post-closure cost estimate | IV B | 265.75(g) | | | | | |
| 8 volume and toxicity reduction efforts | 30 | 265.75(h) | | | | | |
| volume and toxicity reduction achieved | 30 | 265.75(i) | | | | | |
| 8 signed certification | IV B,30 | 265.75(j) | | | | | |

UNMANIFESTED WASTE REPORT

| | | | | | | | |
|---|------|-----------|--|--|--|--|--|
| when an unmanifested report is required; form which must be used; information it must include | *,1 | 265.76 | | | | | |
| EPA identification number | IV B | 265.76(a) | | | | | |
| date waste received | IV B | 265.76(b) | | | | | |
| generator and transporter EPA identification numbers; address and name | IV B | 265.76(c) | | | | | |
| description and quantity of unmanifested waste | IV B | 265.76(d) | | | | | |
| handling method | IV B | 265.76(e) | | | | | |
| signed certification | IV B | 265.76(f) | | | | | |
| explanation of why unmanifested | IV B | 265.76(g) | | | | | |

ADDITIONAL REPORTS

| | | | | | | | |
|--|------|-----------|--|--|--|--|--|
| what else must be reported to Regional Administrator | *,†1 | 265.77 | | | | | |
| releases, fires, explosions | IV B | 265.77(a) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| ground-water contamination and monitoring data | IV B | 265.77(b) | | | | | |
| facility closure | IV B | 265.77(c) | | | | | |
| as otherwise required by Subparts AA, BB, and CC of this part | 79,154 | 265.77(d) | | | | | |

SUBPART F - GROUND-WATER MONITORING

APPLICABILITY

| | | | | | | | |
|--|------|------------------|--|--|--|--|--|
| facilities that must implement a ground-water monitoring program | IV B | 265.90(a) | | | | | |
| meet requirements of 265.91 and comply with 265.92 through 265.94; duration of ground-water monitoring program | IV B | 265.90(b) | | | | | |
| demonstration required to waive requirements | IV B | 265.90(c) | | | | | |
| | | 265.90(c)(1) | | | | | |
| | | 265.90(c)(1)(i) | | | | | |
| | | 265.90(c)(1)(ii) | | | | | |
| | | 265.90(c)(2) | | | | | |
| | | 265.90(c)(2)(i) | | | | | |
| | | 265.90(c)(2)(ii) | | | | | |
| requirements to implement an alternate ground-water monitoring program | IV B | 265.90(d) | | | | | |
| | | 265.90(d)(1) | | | | | |
| | | 265.90(d)(2) | | | | | |
| | | 265.90(d)(3) | | | | | |
| | | 265.90(d)(4) | | | | | |
| | | 265.90(d)(5) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| waiver of surface impoundment ground-water monitoring requirements | IV B | 265.90(e) | | | | | |
| GROUND-WATER MONITORING SYSTEM | | | | | | | |
| monitoring system capabilities | IV B | 265.91(a) | | | | | |
| | | 265.91(a)(1) | | | | | |
| | | 265.91(a)(1)(i) | | | | | |
| | | 265.91(a)(1)(ii) | | | | | |
| | | 265.91(a)(2) | | | | | |
| † demonstrate alternate hydraulically down-gradient monitoring well location will meet alternate criteria; in writing and kept at facility; certified by qualified ground-water scientist and establish: | 99 | 265.91(a)(3) | | | | | |
| † existing physical obstacle prevents monitoring well installation at hydraulically downgradient limit of the waste management area | 99 | 265.91(a)(3)(i) | | | | | |
| † selected alternate downgradient location is as close to limit of waste management area as practical | 99 | 265.91(a)(3)(ii) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| † location ensures detection that, given alternate location, is as early as possible of any statistical amounts of hazardous waste or constituents that migrate from the waste management area to uppermost aquifer | 99 | 265.91(a)(3)(iii) | | | | | |
| † lateral expansion, new or replacement units not eligible for an alternate downgradient location | 99 | 265.91(a)(3)(iv) | | | | | |
| separate sampling systems not required if waste management area properly monitored; definition of waste management area | IV B | 265.91(b) | | | | | |
| | | 265.91(b)(1) | | | | | |
| | | 265.91(b)(2) | | | | | |
| wells must be cased | IV B | 265.91(c) | | | | | |

SAMPLING AND ANALYSIS

| | | | | | | | |
|--|------|--------------|--|--|--|--|--|
| obtain and analyze samples from ground-water monitoring system; must have a sampling and analysis plan and keep it at the facility | IV B | 265.92(a) | | | | | |
| procedures to be described in plan | IV B | 265.92(a)(1) | | | | | |
| | | 265.92(a)(2) | | | | | |
| | | 265.92(a)(3) | | | | | |
| | | 265.92(a)(4) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| parameters to be measured | IV B | 265.92(b) | | | | | |
| | | 265.92(b)(1) | | | | | |
| | | 265.92(b)(2) | | | | | |
| | | 265.92(b)(2)(i) | | | | | |
| | | 265.92(b)(2)(ii) | | | | | |
| | | 265.92(b)(2)(iii) | | | | | |
| | | 265.92(b)(2)(iv) | | | | | |
| | | 265.92(b)(2)(v) | | | | | |
| | | 265.92(b)(2)(vi) | | | | | |
| | | 265.92(b)(3) | | | | | |
| | | 265.92(b)(3)(i) | | | | | |
| | | 265.92(b)(3)(ii) | | | | | |
| | | 265.92(b)(3)(iii) | | | | | |
| | | 265.92(b)(3)(iv) | | | | | |
| establish initial background concentration for 265.92(b) parameters quarterly for one year | IV B | 265.92(c)(1) | | | | | |
| establishing 265.92(b)(3) indicator parameters | IV B | 265.92(c)(2) | | | | | |
| frequency of sampling | IV B | 265.92(d) | | | | | |
| | | 265.92(d)(1) | | | | | |
| | | 265.92(d)(2) | | | | | |
| ground-water surface elevation | IV B | 265.92(e) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| PREPARATION, EVALUATION, AND RESPONSE | | | | | | | |
| outline of ground-water quality assessment program; what program must be capable of determining | IV B | 265.93(a) | | | | | |
| | | 265.93(a)(1) | | | | | |
| | | 265.93(a)(2) | | | | | |
| | | 265.93(a)(3) | | | | | |
| compare parameters | IV B | 265.93(b) | | | | | |
| significant increase in comparisons for upgradient wells | IV B | 265.93(c)(1) | | | | | |
| significant increase in comparisons for downgradient wells | IV B | 265.93(c)(2) | | | | | |
| written notice to Regional Administrator if downgradient well increase is significant | IV B | 265.93(d)(1) | | | | | |
| submit a ground-water quality assessment plan to Regional Administrator; plan contents | IV B | 265.93(d)(2) | | | | | |
| | | 265.93(d)(3) | | | | | |
| | | 265.93(d)(3)(i) | | | | | |
| | | 265.93(d)(3)(ii) | | | | | |
| | | 265.93(d)(3)(iii) | | | | | |
| | | 265.93(d)(3)(iv) | | | | | |
| implement plan and determine extent of problem | IV B | 265.93(d)(4) | | | | | |
| | | 265.93(d)(4)(i) | | | | | |
| | | 265.93(d)(4)(ii) | | | | | |
| timing and report of ground-water quality assessment | IV B | 265.93(d)(5) | | | | | |
| indicator evaluation program if waste has not entered ground-water | IV B | 265.93(d)(6) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| action if waste or constituent has entered ground-water | IV B | 265.93(d)(7) | | | | | |
| | | 265.93(d)(7)(i) | | | | | |
| | | 265.93(d)(7)(ii) | | | | | |
| assessment completion | IV B | 265.93(e) | | | | | |
| evaluation of data on ground-water surface elevations | IV B | 265.93(f) | | | | | |

RECORDKEEPING AND REPORTING

| | | | | | | | |
|--|---------|-------------------|--|--|--|--|--|
| requirements if ground-water is not monitored: | IV B | 265.94(a) | | | | | |
| keep records | IV B | 265.94(a)(1) | | | | | |
| submit reports | IV B | 265.94(a)(2) | | | | | |
| | | 265.94(a)(2)(i) | | | | | |
| | | 265.94(a)(2)(ii) | | | | | |
| | IV B,†1 | 265.94(a)(2)(iii) | | | | | |
| requirements if ground-water is monitored: | IV B | 265.94(b) | | | | | |
| keep records | IV B | 265.94(b)(1) | | | | | |
| submit reports | IV B,†1 | 265.94(b)(2) | | | | | |

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

| | | | | | | | |
|--|---------|------------|--|--|--|--|--|
| except as 265.1 provides otherwise: | * | 265.110 | | | | | |
| 265.111 through 265.115 apply to all owners and operators of all hazardous waste management facilities | IV B,24 | 265.110(a) | | | | | |
| 265.116 through 265.120 apply to all owners and operators of: | IV B,24 | 265.110(b) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| all hazardous waste disposal facilities | IV B,24,109 | 265.110(b)(1) | | | | | |
| 9 waste piles and surface impoundments from which wastes are removed at closure | 24,28,52,109 | 265.110(b)(2) | | | | | |
| 9 tank systems required under 265.197 to meet landfill requirements | 28,52,109 | 265.110(b)(3) | | | | | |
| containment buildings that are required under 265.1102 to meet the requirements for landfills | 109 | 265.110(b)(4) | | | | | |
| CLOSURE PERFORMANCE STANDARD | | | | | | | |
| manner of closing | *,24 | 265.111 | | | | | |
| minimizes further maintenance | IV B,24 | 265.111(a) | | | | | |
| controls, minimizes, or eliminates post-closure escape | IV B,24 | 265.111(b) | | | | | |
| 10 complies with requirements of Subpart G plus specific sections of 265 | 24,109 | 265.111(c) | | | | | |
| 11 CLOSURE PLAN; AMENDMENT OF PLAN | | | | | | | |
| written closure plan; furnish upon request | IV B,†24,85 | 265.112(a) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| | FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|----|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| 12 | content of closure plan | | 265.112(b) | | | | | |
| | | | 265.112(b)(1) | | | | | |
| | | | 265.112(b)(2) | | | | | |
| | | | 265.112(b)(3) | | | | | |
| | | IV B,24 | 265.112(b)(4) | | | | | |
| | | 24 | 265.112(b)(5) | | | | | |
| | | IV B,24 | 265.112(b)(6) | | | | | |
| | | †24 | 265.112(b)(7) | | | | | |
| 13 | requirements for amendments of closure plan | | 265.112(c) | | | | | |
| | | | 265.112(c)(1) | | | | | |
| | | | 265.112(c)(1)(i) | | | | | |
| | | IV B,24 | 265.112(c)(1)(ii) | | | | | |
| | | 24 | 265.112(c)(1)(iii) | | | | | |
| | | IV B,24 | 265.112(c)(2) | | | | | |
| | | 24,†54 | 265.112(c)(3) | | | | | |
| | | | 265.112(c)(4) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| | | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | | | |
|--|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|--|--|
| | | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE | | |
| FEDERAL REQUIREMENTS | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| 14 Notification of Partial Closure and Final Closure | | | | | | | | | | |
| 15 | when notification must occur; public comment and hearing | IV B,†24, 85 | 265.112(d)(1) | | | | | | | |
| | | IV B,†24, †64,85,96 | 265.112(d)(2) | | | | | | | |
| | | 96 | 265.112(d)(2)(i) | | | | | | | |
| | | | 265.112(d)(2)(ii) | | | | | | | |
| | | | 265.112(d)(3) | | | | | | | |
| | | | 265.112(d)(3)(i) | | | | | | | |
| | | IV B,†24 | 265.112(d)(3)(ii) | | | | | | | |
| | | IV B,†24, 109 | 265.112(d)(4) | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| † | remove wastes; decontaminate and dismantle equipment | 24 | 265.112(e) | | | | | | | |
| 17 CLOSURE; TIME ALLOWED FOR CLOSURE | | | | | | | | | | |
| 15 | treat, remove, or dispose of all hazardous wastes within 90 days of receipt of final volume of hazardous waste, or final volume of non-hazardous waste | IV B,24, †64,85,96 | 265.113(a) | | | | | | | |
| modification and demonstration requirements for extending period | | IV B,24 | 265.113(a)(1)(i) | | | | | | | |
| | | IV B,24, †64 | 265.113(a)(1)(ii)(A) | | | | | | | |
| | | IV B,24 | 265.113(a)(1)(ii)(B) | | | | | | | |
| | | | 265.113(a)(1)(ii)(C) | | | | | | | |
| | | | 265.113(a)(2) | | | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| 15 complete partial or final closure within 180 days of receipt of final volume | IV B,24, †64,85,96 | 265.113(b) | | | | | |
| modification and demonstration requirements for extending closure period | IV B,24 | 265.113(b)(1)(i) | | | | | |
| | IV B,24, †64 | 265.113(b)(1)(ii)(A) | | | | | |
| | | 265.113(b)(1)(ii)(B) | | | | | |
| | | 265.113(b)(1)(ii)(C) | | | | | |
| | IV B,24 | 265.113(b)(2) | | | | | |
| how 265.113(a)(1) & (b) (1) demonstrations must be made | 24,†64 | 265.113(c) | | | | | |
| | | 265.113(c)(1) | | | | | |
| | | 265.113(c)(2) | | | | | |

†,18 Nonhazardous Waste Receipt Conditions

| | | | | | | | |
|---|----|--------------------|--|--|--|--|--|
| receive nonhazardous wastes after the final receipt of hazardous wastes at specified units | 64 | 265.113(d) | | | | | |
| submittal of amended Part B application or Part B application and required demonstrations | 64 | 265.113(d)(1) | | | | | |
| | | 265.113(d)(1)(i) | | | | | |
| | | 265.113(d)(1)(ii) | | | | | |
| | | 265.113(d)(1)(iii) | | | | | |
| | | 265.113(d)(1)(iv) | | | | | |
| | | 265.113(d)(1)(v) | | | | | |
| | | 265.113(d)(2) | | | | | |
| | | 265.113(d)(3) | | | | | |
| | | 265.113(d)(4) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| Additional Requirements for Surface Impoundments | | | | | | | |
| special requirements for surface impoundments not in compliance with liner and leachate collection system requirements | 64 | 265.113(e) | | | | | |
| plans which must be submitted with the Part B application | 64 | 265.113(e)(1) | | | | | |
| | | 265.113(e)(1)(i) | | | | | |
| | | 265.113(e)(1)(ii) | | | | | |
| remove all hazardous wastes | 64 | 265.113(e)(2) | | | | | |
| removal within 90 days; extension | 64 | 265.113(e)(3) | | | | | |
| actions to be taken if a release is detected | 64 | 265.113(e)(4) | | | | | |
| | | 265.113(e)(4)(i) | | | | | |
| | | 265.113(e)(4)(ii) | | | | | |
| | | 265.113(e)(4)(iii) | | | | | |
| semi-annual reports | 64 | 265.113(e)(5) | | | | | |
| conditions under which Regional Administrator may require closure | 64 | 265.113(e)(6) | | | | | |
| actions to be taken if owner or operator fails to implement corrective measures or if no substantial progress pursuant to 265.113(e)(6) has been made | 64 | 265.113(e)(7) | | | | | |
| | | 265.113(e)(7)(i) | | | | | |
| | | 265.113(e)(7)(ii) | | | | | |
| | | 265.113(e)(7)(iii) | | | | | |
| | | 265.113(e)(7)(iv) | | | | | |
| | | 265.113(e)(7)(v) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|--|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| DISPOSAL OR DECONTAMINATION OF EQUIPMENT, STRUCTURES AND SOILS | | | | | | | |
| disposal and decontamination requirements during closure; 262 generator requirements | IV B,24, 52 | 265.114 | | | | | |
| CERTIFICATION OF CLOSURE | | | | | | | |
| certification requirements at closure; required signatures; documentation upon request | IV B,24 | 265.115 | | | | | |
| SURVEY PLAT | | | | | | | |
| survey plat requirements | 24 | 265.116 | | | | | |
| POST-CLOSURE CARE AND USE OF PROPERTY | | | | | | | |
| continue care for 30 years | IV B,24 | 265.117(a)(1) | | | | | |
| monitoring and reporting requirements | IV B,24 | 265.117(a)(1)(i) | | | | | |
| maintenance and monitoring for waste containment systems | IV B,24 | 265.117(a)(1)(ii) | | | | | |
| reduction or extension of time period for post- closure care by Regional Administrator | IV B,24 | 265.117(a)(2) | | | | | |
| | | 265.117(a)(2)(i) | | | | | |
| | | 265.117(a)(2)(ii) | | | | | |
| conditions for continuation of security requirements of 265.14 | IV B,24 | 265.117(b) | | | | | |
| | | 265.117(b)(1) | | | | | |
| | | 265.117(b)(2) | | | | | |
| limits on post-closure use of property; exceptions | IV B,24 | 265.117(c) | | | | | |
| | | 265.117(c)(1) | | | | | |
| | | 265.117(c)(2) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| post-closure activities in accordance with plan as specified in 265.118 | IV B,24 | 265.117(d) | | | | | |
| POST-CLOSURE PLAN; AMENDMENT OF PLAN | | | | | | | |
| 19 written post-closure plan; submission deadline for surface impoundments closing as landfills | IV B,24 | 265.118(a) | | | | | |
| 20 availability of plan to Regional Administrator or representative; retention during post-closure | IV B,24 | 265.118(b) | | | | | |
| 19, 21 items that must be included in post-closure plan | IV B,24 | 265.118(c) | | | | | |
| | | 265.118(c)(1) | | | | | |
| | | 265.118(c)(2) | | | | | |
| | | 265.118(c)(2)(i) | | | | | |
| | | 265.118(c)(2)(ii) | | | | | |
| | | 265.118(c)(3) | | | | | |
| 20, 22 obtaining authorization to change plan | IV B,24 | 265.118(d) | | | | | |
| 20 conditions requiring change to plan | IV B,24 | 265.118(d)(1) | | | | | |
| | | 265.118(d)(1)(i) | | | | | |
| | | 265.118(d)(1)(ii) | | | | | |
| 20 schedule for amending plan | IV B,24 | 265.118(d)(2) | | | | | |
| when modified plan must be submitted to Regional Administrator; requirements for surface impoundments or waste piles closing as landfills | IV B,24, †54 | 265.118(d)(3) | | | | | |

CONSOLIDATED CHECKLIST C6
40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| | | FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|-------------------------|--|----------------------|------------------------|-----------------------|-----------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| 20, 21 | schedule for amending plan at Regional Administrator's request | IV B,24, †54 | 265.118(d)(4) | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 22, 23 | schedule for submitting plan to Regional Administrator | IV B,24 | 265.118(e) | | | | | | |
| | | | 265.118(e)(1) | | | | | | |
| | | | 265.118(e)(2) | | | | | | |
| 23 | Regional Administrator's schedule for review and decision on plan | IV B,24 | 265.118(f) | | | | | | |
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| | | | | | | | | | |
| | circumstances for modifying post-closure plan and length of post- closure care period | IV B,24 | 265.118(g) | | | | | | |
| | | | 265.118(g)(1) | | | | | | |
| | | | 265.118(g)(1)(i) | | | | | | |
| | | | 265.118(g)(1)(i)(A) | | | | | | |
| | | | 265.118(g)(1)(i)(B) | | | | | | |
| | | | 265.118(g)(1)(ii) | | | | | | |
| | | | 265.118(g)(1)(iii) | | | | | | |
| | | | 265.118(g)(2) | | | | | | |
| | | | 265.118(g)(2)(i) | | | | | | |
| | | | 265.118(g)(2)(ii) | | | | | | |
| 24 POST-CLOSURE NOTICES | | | | | | | | | |
| | record of type, location and quantity of HW | IV B,24 | 265.119(a) | | | | | | |
| | | | | | | | | | |
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| | | | | | | | | | |
| | requirement to enter note on deed; survey plan; submit certification | 24 | 265.119(b) | | | | | | |
| | | | 265.119(b)(1) | | | | | | |
| | | | 265.119(b)(1)(i) | | | | | | |
| | | | 265.119(b)(1)(ii) | | | | | | |
| | | | 265.119(b)(1)(iii) | | | | | | |
| | | | 265.119(b)(2) | | | | | | |
| | | | | | | | | | |

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

| FEDERAL REQUIREMENTS | CHECKLIST REFERENCE | FEDERAL RCRA CITATION | ANALOGOUS STATE CITATION | STATE ANALOG IS: | | | |
|---|---------------------|-----------------------|--------------------------|------------------|------------------------|------------------------|---------------------|
| | | | | EQUIV- ALENT | LESS STRIN- GENT | MORE STRIN- GENT | BROADER IN SCOPE |
| modification to remove hazardous wastes; criteria of 265.117(c); removal of notation; addition of notation | 24 | 265.119(c) | | | | | |
| | | 265.119(c)(1) | | | | | |
| | | 265.119(c)(2) | | | | | |

25 CERTIFICATION OF COMPLETION OF POST-CLOSURE CARE

| | | | | | | | |
|--|---------|---------|--|--|--|--|--|
| description of certification procedure | IV B,24 | 265.120 | | | | | |
|--|---------|---------|--|--|--|--|--|

- ¹ This subsection was modified by 50 FR 28702, the final rule addressed by Revision Checklists 17 A - 17 S, but was not included in those checklists.
- ² The May 3, 1993 final rule (58 FR 26420, Revision Checklist 122) inadvertently removed a correction made by the August 25, 1992 Federal Register (57 FR 38558, Revision Checklist 111). The August 25, 1992 rule changed "subparts C, D, F, or G" to "subparts C, F, G, or H"; the May 3, 1993 rule listed the old version of these internal references. The correct reference is "subparts C, F, G, or H", as shown in the August 25, 1992 rule.
- ³ States should adopt 265.1(c)(14)(i)-(iii) as appropriate to reflect the universal wastes adopted. See the rule for Checklists 142 A-D (60 FR 25492; May 11, 1995).
- ⁴ The August 14, 1989 rule (54 FR 33376, Revision Checklist 64) amended the first sentence of 265.13(a)(1). However, because of a misinterpretation of the codification instructions, the second sentence of the provisions at this citation was omitted from the 1990 and 1991 CFRs. Revision Checklist 102 (57 FR 8086; March 6, 1992) corrected the error by restoring the mistakenly deleted language.
- ⁵ There is an error in the internal references at 265.15(b)(4). The reference to "265.1091(b)" should be removed because this section is reserved.
- ⁶ Section 265.19 is considered to be both a HSWA and Non-HSWA provision by Revision Checklist 100. It is Non-HSWA only to the extent that it applies to the final cover requirements for the Construction Quality Assurance Program.
- ⁷ Revision Checklist 54 removed the comment following 265.54(e).
- ⁸ Base Program Checklist IV B originally introduced text at 265.75(h). Revision Checklist 30 introduced a new 265.75(h) and redesignated the old 265.75(h) as 265.75(j).
- ⁹ 265.110(b)(2) was added by Revision Checklist 24. It was amended by Revision Checklist 28 to read as 265.110(b)(3) presently reads. Revision Checklist 52 added a new 265.110(b)(2), redesignating the old 265.110(b)(2) as 265.110(b)(3). Interestingly, the wording of the 265.110(b)(2) added by Revision Checklist 52 is the same as the wording of the 265.110(b)(2) added by Revision Checklist 24.

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40 CFR Part 265, Subparts A-G, as of June 30, 1997 (cont'd)

- 10 There is a typographical error in the August 18, 1992 Federal Register (57 FR 37194, Revision Checklist 109) article for this rule. The internal reference to "264.1102" should be to "265.1102".
- 11 Revision Checklist 24 significantly revised the 265.112 section. Much of the original code (Base Program Checklist IV B) survived but was modified and also moved to different paragraphs/subparagraphs by Revision Checklist 24. Thus, when IV B appears in the Checklist Reference column for any of the 265.112 citations it, more frequently than not, indicates that the text of those citations is relevant to Checklist IV B while the actual citation number is not. For example, IV B appears as a checklist reference for 265.112(b)(4), (6) and (7), yet paragraph 265.112(b) was not broken down into subparagraphs (1)-(7) in code relevant to Checklist IV B. Footnotes at the paragraph level will indicate where the code appeared under the old formatting as per Base Program Checklist IV B.
- 12 Many of the current requirements of 265.112(b) and (b)(1)-(b)(7), as designated and modified by Revision Checklist 24, were part of the base program at 265.112(a) and (a)(1)-(4). States which do not adopt the optional (less stringent) requirement at 265.112(b)(7) must be careful to retain the closure plan requirement for "an estimate of the expected year of closure" as first introduced into the base program as a portion of 265.112(a)(4).
- 13 Part or all of the text of the following citations was introduced into the code at 265.112(b) as per Base Program Checklist IV B: 265.112(c), (c)(1), (c)(1)(i)-(ii), and (c)(2). Revision Checklist 24 modified this text and moved it from paragraph (b) to paragraph (c).
- 14 Revision Checklist 24 designated the citations within the double lines as optional revisions (265.112(d)(1)-(d)(4)). Similar, more stringent and nonoptional provisions originated in the code at 265.112(c), (c)(1), (c)(2), and (d) as per Base Program Checklist IV B. If States choose to adopt the 265.112(d)(1)-(d)(4) optional provisions as per Revision Checklist 24, they must adopt them as a unit rather than by individual provision. In other words, all or none of the (d)(1)-(d)(4) provisions must be included in a State's code. The only exception for adopting States are the optional revisions subsequently made by Revision Checklist 64. These subsequent changes are less stringent than those addressed by Revision Checklist 24, so States may or may not make those changes. If a State chooses not to adopt the Revision Checklist 24 optional provisions, it must retain code equivalent to that found in the base program at 265.112(c), (c)(1), (c)(2), and (d).
- 15 Note that the changes made by Revision Checklist 85 to 265.112(d)(2) and 265.113(a)&(b) were reversed by the August 27, 1991 (56 FR 42524; Revision Checklist 96) technical corrections to the Boilers and Industrial Furnaces rule. The language is, thus, the same as it was before the Revision Checklist 85 changes. Thus, effectively, the technical corrections addressed by Revision Checklist 85 for these citations were nullified by Revision Checklist 96.
- 16 Note that the August 18, 1992 Federal Register (57 FR 37194, Revision Checklist 109) introduced an error into the second-to-last sentence of 265.112(d)(4) by inserting an extraneous "with" between "§§" and "265.111."
- 17 Section 265.113 was erroneously designated as optional by the May 2, 1986 rule (51 FR 16422). The June 26, 1990 (55 FR 25976) amendment corrected this error.
- 18 Citations within the double lines are optional, but if a State chooses to modify its program to adopt requirements equivalent to these provisions, it must adopt such requirements as a unit rather than by individual provision. In other words, all or none of these provisions must be included in a State's code. Subsequent

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changes to these provisions may or may not be optional for States that have adopted the original unit of provisions. An optional sign appears in front of the subsequent revision checklist number(s) if such subsequent changes are less stringent than or reduce the scope of the original requirements.

- 19 Text from 265.118(a)(1-3) in Base Program Checklist IV B was moved to 265.118(c)(1-3) by Revision Checklist 24.
- 20 Text from 265.118(b) and (e) in Base Program Checklist IV B was moved to 265.118(d)(1-2) by Revision Checklist 24.
- 21 Text from 265.118(c)(1-2) in Base Program Checklist IV B was moved to 265.118(e)(1-2) by Revision Checklist 24.
- 22 Text from 265.118(d) in Base Program Checklist IV B was moved to 265.118(f) by Revision Checklist 24.
- 23 Text from 265.118(f)(1-2) in Base Program Checklist IV B was moved to 265.118(g)(1-2) by Revision Checklist 24.
- 24 Revision Checklist 24 extensively revised 265.119 as per Base Program Checklist IV B, including a new section title. The original code contained no subparagraphs.
- 25 The current text of 265.120 was introduced by Revision Checklist 24, whereas the original text of 265.120 as in the base program was moved to 265.119(b) by Revision Checklist 24.